

REGULATION 19

EMPLOYEE LABOR ORGANIZATIONS

- 19.010 Authority.
- 19.020 Definitions.
- 19.030 Information required of local labor organization.
- 19.040 Information required of international labor organization. Repealed: 5/31/90.
- 19.050 Information required of listed labor organization personnel.
- 19.060 Exemptions.
- 19.070 Powers of commission.
- 19.080 Required revisions of list.

19.010 Authority. Regulation 19 is adopted in accordance with the provisions of NRS 463A.030 and NRS 463.150. Nothing herein shall be construed as limiting the power of the board and commission pursuant to the provisions of chapter 463 and 463A of NRS, including but not limited to NRS 463A.030.

(Adopted: 4/85.)

19.020 Definitions. All terms defined in the Act, NRS chapter 463A, and Regulation 1 shall have the same meaning in Regulation 19 as in the Act, NRS 463A and Regulation 1, respectively. Additionally, unless the context otherwise requires:

1. "Labor organization personnel" means all employees, agents or representatives of a labor organization, acting with or without compensation, other than individuals whose sole involvement relates exclusively to benefit programs subject to the Employee Retirement Income Security Act of 1974, who:

(a) Adjust grievances, or negotiate or administer a collective bargaining agreement which governs the wages, hours, working conditions or conditions of employment of any Nevada gaming casino employee;

(b) Solicit, collect or receive any dues, assessments, levies, fines, contributions or other charges within this state for or on behalf of the organization from any Nevada gaming casino employee;

(c) Act as officers, members of the governing body, (except where the labor organization is functioning as a committee of the whole) business agents or in any other policy-making or supervisory position in the organization; or

(d) For compensation advise, represent, or provide other assistance to a labor organization concerning Nevada gaming casino employees with respect to those activities listed in subsections (a) through (c), other than as an attorney or accountant.

2. "List" means the document filed with the board by a labor organization including the names and all required information relating to that organization's labor organization personnel.

3. "Local labor organization" means a labor organization within the State of Nevada, whether it is affiliated with an international labor organization or not.

4. "International labor organization" means a labor organization outside the State of Nevada, and having a local labor organization which is a subordinate or which it directly or indirectly has the power to or right to control.

(Adopted: 4/85.)

19.030 Information required of local labor organization.

1. Each local labor organization shall provide the following information on its list filed with the board:

(a) Name, address and telephone number of the labor organization;

(b) Name and address of any international labor organization with which it directly or indirectly maintains an affiliation or relationship;

(c) With respect to all local labor organization personnel:

(1) Full name, including any known alias or nickname;

(2) Title or other designation in the labor organization;

(3) A brief description of the duties and activities of each individual;

(4) The business address and telephone number of each individual; and

(5) Annual compensation including salary, allowances, and other direct or indirect disbursements (including reimbursed expenses).

(d) With respect to international labor organization personnel, those individuals who perform or who have performed any of the functions set forth in Regulation 19.020(1) with respect to Nevada gaming casino employees or advised or consulted with a local labor organization concerning one

or more of such functions with respect to Nevada gaming casino employees within the 12 months immediately prior to filing the list:

- (1) Full name, including any known alias or nickname;
- (2) Title or other designation in the labor organization;
- (3) A brief description of the duties and activities performed by each individual for, or with respect to the local labor organization;
- (4) The business address and telephone number of each individual.
- (e) A written certification under oath in a form prescribed by the board, signed by the local labor organization president and secretary-treasurer, and chief official of the local labor organization if his title is other than president or secretary-treasurer, that the information contained on the list is complete and accurate.

2. Within 10 days of filing or revising its list with the board, the labor organization shall notify in writing each of the labor organization personnel, international or local, that have been listed or added, except for those who are exempted from the reporting requirements by Regulation 19.060, advise them of the reporting requirements of NRS chapter 463A and this regulation, and file with the board written proof of service of the notification in a form prescribed by the board.

(Adopted: 4/85.)

19.040 Information required of international labor organization. [Repealed: 5/31/90.]

19.050 Information required of listed labor organization personnel.

1. Subject to the provisions of Regulation 19.060, all listed labor organization personnel, whether local or international, shall provide the following information to the board in writing, 90 days after notification by the labor organization of being listed:

- (a) Full name, including any aliases or nicknames by which he has been or is known by;
- (b) Business address and telephone number;
- (c) Home address and telephone number;
- (d) Date and place of birth;
- (e) Social Security number;
- (f) Title;
- (g) Date of hire by the local or international labor organization, or date of first consultation or advice;
- (h) A detailed description of his:
 - (1) Labor organization activities;
 - (2) Prior performance of the same or similar functions on behalf of a labor organization;
 - (3) Previous employment or occupational history;
- (i) Excluding minor traffic offenses, a detailed description of the following areas of criminal conduct, if any, whether the crime involved is denominated a felony, gross misdemeanor or misdemeanor:
 - (1) Any convictions;
 - (2) Any criminal offenses for which he was charged, indicted or summoned to answer, but for which he was not convicted;
 - (3) Any criminal offenses for which he received a pardon;
 - (4) Any criminal offenses for which the record was expunged or sealed by court order;
- (j) Whether he has ever been denied a business, liquor, gaming or professional license, or has had such license revoked;
- (k) Whether he has ever been found by any court or governmental agency to be unsuitable to be affiliated with a labor organization and if so, all details relating thereto;
- (l) Whether he has ever been subpoenaed as a witness before any grand jury, legislative body, administrative body or crime commission and if so, all details relating thereto;
- (m) A complete set of fingerprints;
- (n) A photograph taken within the last 60 days; and
- (o) Such other information or documents as the board may require.

2. Labor organization personnel who have been listed, and who have provided the board the information required by subsection 1, need not thereafter provide such information to the board after notification of inclusion on any subsequent list unless the previously provided information has changed in any respect. In the event such previously provided information has changed in any respect, then such labor organization personnel shall provide the board with written notice of such changes within 60 days after notification by the labor organization of being included on any subsequent list.

3. The failure of any listed labor organization personnel to file with the board the information required by NRS chapter 463A and this regulation within the time period specified in subsections 1 and 2 may be deemed grounds for disqualification.

(Adopted: 4/85.)

19.060 Exemptions.

1. The following categories of listed individuals are exempted from the reporting requirements set forth in Regulation 19.050:

(a) Individuals whose performance of one or more of the functions set forth in Regulation 19.020(1) with respect to Nevada gaming casino employees is only incidental to clerical or ministerial duties, or

(b) International labor organization personnel, other than the general president and general secretary-treasurer, who act or have acted as officers, members of the governing body, or in any other policy-making position in the international labor organization who have been certified in writing under oath in a form prescribed by the board that they have not performed any of the functions set forth in Regulation 19.020(1) with respect to Nevada gaming casino employees or advised or consulted with a local labor organization concerning one or more of such functions with respect to Nevada gaming casino employees within the 12 months immediately prior to the filing of the list. The certification must be signed under oath by the general president and general secretary-treasurer of the international labor organization, and by the local labor organization president and secretary-treasurer, and chief official of the local labor organization if his title is other than president or secretary-treasurer, who shall all verify the truth and accuracy of the certification. Such certification must be submitted annually, within 90 days after filing of the list in order for such personnel to qualify for an exemption.

2. The commission may, upon recommendation of the board, require any listed individual who is in a category which has been previously exempted pursuant to this regulation to comply with the reporting requirements set forth in Regulation 19.050 for any cause deemed reasonable by the commission.

(Adopted: 4/85.)

19.070 Powers of commission. Notwithstanding any other provision in Regulation 19, or exemption contained therein, the commission may determine, upon recommendation of the board, at any time that the public interest and purposes of NRS chapter 463A require that any individual who has a material relationship to, or material involvement with a labor organization should file the information required by Regulation 19.050. A person may be deemed to have a material relationship to, or material involvement with a labor organization if he, with or without compensation, as an agent, consultant, advisor or otherwise, exercises a significant influence upon the management or affairs of a labor organization concerning one or more of the functions set forth in Regulation 19.020(1) with respect to Nevada gaming casino employees. The foregoing powers of the commission are not limited to individuals having a formal and direct involvement or relationship with a labor organization. Any person required to file pursuant to this regulation shall thereafter be subject to the provisions of Regulation 19 and NRS chapter 463A.

(Adopted: 4/85.)

19.080 Required revisions of list.

1. A complete list shall be submitted to the board annually, on or before the 15th of January, except that the first complete list shall be submitted to the board within 90 days after the effective date of Regulation 19.

2. Any changes, additions, or deletions to any information contained in the list which occur subsequent to the filing of the list and prior to the filing of the list for the next calendar year shall be reported to the board in writing no less than 10 days after the end of the calendar quarter during which the change, addition, or deletion occurred unless the change occurs in the fourth calendar quarter in which event the change must be included in the next annual filing.

(Adopted: 4/85.)

End – Regulation 19